

Note: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

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LONGNECKER PROPERTY, 2003 JLR FAMILY  
LLC, ANDBRY PROPERTIES, LLC, PAUL C.  
BOWYER, DIANA BOWYER, CAPITAL  
DEVELOPMENT COMPANY, WILLIAM CARRUTH,  
MARILYN CARRUTH, ELAINE HANSON, (Carl  
Hanson, deceased), SANG HO CHOI, MI YOUNG  
CHOI, WALTER W. COX, JAY J. DAYTON,  
BARBARA DAYTON, E. PAUL DETRAY, PHYLLIS  
DETRAY, JAMES G. DYER, JOSEPHINE EVANS,  
HAPPY TERIYAKI III, INC., JOHN HARTUNG,  
ROBERT HELSTROM, HERRICK HIGSON, II,  
CHERYEL HIGSON, NATHANIEL JACKSON,  
THELMA JACKSON, KAY PACKAGING COMPANY,  
CHARLES KENNEDY, DIANE KENNEDY, M.  
AURELIA KENNISH, JOSEPH KENNISH, KEVIN  
TURNER INVESTMENT PROPERTIES, LLC, NAE  
TO KI, SUNG KIM, IVAN KRALOVENSKY, LACEY  
TOWN SQUARE, LLC, LION-EL PROPERTIES,  
INC., MACARIOS, INC., MARGENT  
CORPORATION, PATRICK L. MARTIN, SHARON  
MARTIN, MEADOWGREEN PARK, LLC, DON  
MILES, by and through personal representative,  
JANE HANSON, MONEY SAVER LACEY  
ASSOCIATES, LLC, BENJAMIN MORTON,  
MUELLER/DOYLE LACEY VENTURE, NEW ZION  
BAPTIST CHURCH, KRIS O'BANNON, LAURI  
O'BANNON, MOOSE VALLEY LODGE 1905, JIM  
PALMER, DONNA PALMER, RICK PARNELL,  
COLEEN PARNELL, SHIRLEY M. PEARSALL,  
RICHARD L. PEREGRIN, KATHY PEREGRIN, FKA

**Kathy Schnitzer, KENNETH M. PHILLIPS, ROBIN  
C. PHILLIPS, PRIME ENTERPRISES, LLC, R.I.C. 20  
LTD., by and through its general partner, REALTY  
INCOME CORPORATION, RE CARPET,  
RESTRUCTURING CONCRETE, INC., LIVING  
TRUST OF LEO C. ROBERTS AND CECILIA L.  
ROBERTS, RYDER FAMILY, LLC, MICHAEL  
SAYLORS, PATRICIA SAYLORS, SOUTH SOUND  
VILLA, LARRY SPOLARICH, SOON JA  
SPOLARICH, SPROUT FAMILY REVOCABLE  
LIVING TRUST, through trustees, JACK SPROUT,  
LAVADA SPROUT, STUART SULMAN, JAMES  
KELLER, NEIL KELLER, THE CROWN BEVERAGE  
PACKAGING, INC. MASTER TRUST, THE LEE  
REVOCABLE TRUST, through trustees, SHIRLEY  
LEE, HERBERT LEE, THE SPRATT LIVING  
TRUST, through trustee, MARY ELIZABETH  
SPRATT, MARY ANN THOMPSON, KENNETH  
TRAPP, TERESA TRAPP, VASICK REAL ESTATE  
LLC, VILLA DEL VISTA CONDOMINIUM  
ASSOCIATION, WESTERN WASHINGTON SHEET  
METAL JATC, MARY J. WIGHTMAN, MARK  
WILLIAMS, JANELLE WILLIAMS, KOBZA HOME  
BUILDERS, INC.,**  
*Plaintiffs-Appellees*

**PATTI INGERSOL, GRETCHEN MORRIS,**  
*Plaintiffs*

**v.**

**UNITED STATES,**  
*Defendant-Appellant*

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2015-5045

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LONGNECKER PROPERTY v. US

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Appeal from the United States Court of Federal  
Claims in No. 1:09-cv-00173-MBH, Judge Marian Blank  
Horn.

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**GENEVA ROCK PRODUCTS, INC., FOX RIDGE  
INVESTMENTS, LLC, For Themselves and As Rep-  
resentatives of a Class of Similarly Situated Per-  
sons,**  
*Plaintiffs-Appellees*

**v.**

**UNITED STATES,**  
*Defendant-Appellant*

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2015-5078

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Appeal from the United States Court of Federal  
Claims in No. 1:08-cv-00920-CFL, Judge Charles F.  
Lettow.

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**GEORGE E. SUTTON, JR., CATHY L. SUTTON  
REVOCABLE TRUST 2002, For Itself, and as a  
Representative of a Class of Similarly Situated  
Persons,**  
*Plaintiffs-Appellees*

**v.**

**UNITED STATES,**  
*Defendant-Appellant*

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2015-5092

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Appeal from the United States Court of Federal  
Claims in No. 1:09-cv-00648-NBF, Senior Judge Nancy B.  
Firestone.

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**DAFFNEY A. THOMAS, D. LEE DUNN, LARRY  
JACKSON, ELIZABETH PRESTON, MARCELLA  
KRAFT, WILLIAM NASH, NANCY NASH, JAMES  
PHILPOTT, JEREMY STREET, WILLIAM KAMEL,  
JAMES M. CREWS, JR., L. DOW CREWS, JOHN T.  
CREWS, ORMOND CREWS, III, KATE CREWS  
HOOKS, MARGARET CREWS WARREN, Individual-  
ly and as Representative of a Class of Similarly  
Situated Persons,  
*Plaintiffs-Appellees***

**v.**

**UNITED STATES,  
*Defendant-Appellant***

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2015-5129

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Appeal from the United States Court of Federal  
Claims in No. 1:10-cv-00054-NBF, Senior Judge Nancy B.  
Firestone.

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**R.H. FARMS, INC., For Themselves and As Repre-  
sentatives of a Class of Similarly Situated Persons,  
392 VENTURES LLC, DAVID A. ADAMS, MYRA J.  
ADAMS, DON ANDERSON INC., CHARLES L.  
AUSTIN, JAMES M. BELL, WENDY A. BELL,  
RAYMOND E. BETZ, GLENDA K. BETZ, RONALD E.**

LONGNECKER PROPERTY v. US

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BODINE, RANDALL GENE BOND, VICKIE SUE BOND, JOSEPH L. BOSWORTH, GLENN K. BAILEY, JEFFERY BROWN, MELISSA BROWN, RONALD BROWN, IVY BROWN, SANTO W. CAMPAGNA, DAVID L. CARLSON, GRETCHEN A. CARLSON, SHERIE CRAFT, MICHAEL J. CYPHERS, MELANIE D. CYPHERS, ELMER DEINES, as Trustee of the Dorothy Deines Family Trust, JAMI EVANS, ANDREW L. FARAGO, BECKY A. FARAGO, EDWARD EUGENE FERGUSON, JOLENE GAY FERGUSON, LYNNE E. FERGUSON, FIRST BAPTIST CHURCH OF WINDSOR, DEBRA GRAY, JAMES HAPPEL, HERGERT LIMITED PARTNERSHIP #3, JUDITH HERGERT, JUDITH HERGERT, as Trustee of the Patricia Hergert 1995 Trust and as Custodian for Allison Hergert, HESTER FARMS, INC., JESUS P. HINOJOSA, PAULA R. HINOJOSA, DAVID HUWA, HEATHER E. HUWA, RICHARD HUWA, VALERIE HUWA, BRADLEY S. JACKS, TRACY L. JACKS, DAVID JOHNSON, PEGGY LANETT JOHNSON, STEPHEN JOHNSON, MARITA F. JOHNSON, LORRAINE E. JOHNSTON, WILLIAM P. JONES, CHERYL D. JONES, LAWRENCE KUBO, CHERYL KUBO, MAJORIE LAPP, LIND REAL ESTATE HOLDINGS, INC., LOUP RESERVOIR CO., aka John L. Reservoir, DOUGLAS T. MARQUISS, RUSSELL W. MEEKER, DORIS R. MEEKER, APOLONIO MELENDEZ, ISABEL MELENDEZ, DAVID MELUSKY, CHRISTINE S. MELUSKY, GARY L. MILLER, CAROL RAYE MOGUS, J. GALE MOODY, JOE MULLINS, CARLA K. MULLINS, OPTIMUM ART GLASS, INC., THOMAS G. PETERSEN, CHRISTINE D. PETERSEN, RALPH PRIOR, CAROLYN PRIOR, RENFROE MANAGEMENT LP, c/o Scott Renfroe, CHARLES SCHEID, RUDY L. SCHLOTTHAUER, JUDY L. SCHLOTTHAUER, JACK R. SCHNEIDER, LOUIS GAGE SHIERS,

**GORDON G. SMITH, GREGORY A. SPRINGSTON,  
PAMELA A. SPRINGSTON, SHARON SUE  
THOMPSON, TIMBER RIDGE SEVERANCE LLC,  
PAMELA DIANE TJADEN, CHARLENE G.  
WADSWORTH, TERRY WADSWORTH, JOHN L.  
WAGNER, KATHRYN A. WAGNER, PETER V.  
WAGONER, JOY L. WAGONER, IAN R. WEBB,  
SAMANTHA J. WEBB, KENNETH WILHELM,  
DANIEL P. WILSON, LEONARD C. WILSON,  
ROBERT J. WINTER, JANET A. WINTER, DANIEL  
YOUNG, LAURA D. YOUNG,**  
*Plaintiffs-Appellees*

**v.**

**UNITED STATES,**  
*Defendant-Appellant*

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2016-1317

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Appeal from the United States Court of Federal  
Claims in No. 1:09-cv-00129-MBH, Judge Marian Blank  
Horn.

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**O R D E R**

Upon consideration of Appellees' unopposed motions  
to withdraw their motions to dismiss 2015-5045 (ECF No.  
12), 2015-5078 (ECF No. 11), and 2015-5092 (ECF No. 9),

IT IS ORDERED THAT:

The motions to withdraw are granted. Appellees'  
motions to dismiss 2015-5045, 2015-5078, and 2015-5092  
are withdrawn.

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FOR THE COURT

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court

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